

COMMISSION CONFERENCE**FEBRUARY 26, 2002**

<u>Agenda Item</u>		<u>Page</u>
I-A	Port Everglades Security	1
I-B	Proposed Greenway System for Pedestrian and Bicycle Pathway Enhancements	3
I-C	Beach Renourishment	7
I-D	Citizen Advisory Panel – Florida Power & Light (FPL)	9
I-E	City’s Self-Insured Health Fund – Employee Health Benefits	10
I-F	Henry E. Kinney Tunnel Park on South Side of New River	15
I-G	Department of Housing and Urban Development’s (HUD) Ruling on the Lincoln Park Facility	16
II-A	Parks General Obligation Bond (GOB) Projects – Quarterly Report for the Fourth Quarter of 2001 (October to December)	17
II-B	Proposed Purchasing Contract Extensions for the Second Quarter of 2002 (April to June)	17
II-C	Campaign Finance	18
II-D	Historic Property Designation Surveys	19
III-B	Advisory Board Vacancies:	
	1. Cemeteries Board of Trustees (Deferred)	20
	2. Community Appearance Board (Deferred)	20
	3. Community Services Board	20
	4. Nuisance Abatement Board	20
	5. Unsafe Structures & Housing Appeals Board (Deferred)	20
IV	City Commission Reports:	
	1. Amistad	21
	2. Sign Ordinance	21
	3. Southwest 14 th Avenue – Parking by City Employees	21
	4. Neighborhoods USA Conference	21
	5. Southwest 2 nd Street – Business Complaints	21
	6. New River Village	22
	7. Open Space/Vacant Lots	22
	8. Citizen Parking Discount	22

Agenda
ItemPage

9. Code Violations in Neighborhoods	23
10. Humane Society Walk for Animals Event	23
11. Economic Development Workshop	23
12. Discrimination Issues	24
13. Annexation	24
14. Parks Land Advisory Board	24
15. University of Miami School of Architecture	24
16. FPL Resolution on Port Everglades Plant	24
17. Homeland Security	25

Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

I-A – Port Everglades Security

A presentation was scheduled on the security plan for Port Everglades. The City Manager introduced *Mr. Phil Allen*, Interim Port Director, who was not sure what level of detail the Commission sought in this regard. Commissioner Hutchinson wanted to hear the full presentation. Mr. Allen introduced *Mr. Jeffrey Brown*, Security Administrator, and *Mr. Chris Novak*, Manager of Construction & Engineering, who was implementing the plan.

Mr. Brown provided a Power Point presentation regarding the security improvements that were being implemented in Port Everglades. He explained that this was for the protection of people, visitors, and assets within Fort Lauderdale, Hollywood, and Dania Beach. Mr. Brown noted that the Port dealt with 118 million gallons of petroleum products annually, and it was 12th nationally in handling containerized cargo. In addition, this was one of the three largest cruise ports in the nation. He advised that the Port's jurisdictional area measured about 3 square miles, and there were 34 ports.

Mr. Brown stated that a multi-agency task force had been formed in 1997 composed of State, federal and local law enforcement agencies, Port users, and senior Port staff. The intent had been to examine Port crime and develop solutions without impacting commerce, primarily focused on the importation of illegal narcotics. He advised that criminal background checks were conducted on those who worked within restricted access areas, and the number of vehicles and people on the docks had been limited, and enhanced physical barriers had been provided throughout the Port to ensure only those who belonged entered defined restricted areas. Mr. Brown stated that the task force had also recommended segregated parking for dock workers, closed circuit television, the use of permit cards, and enhanced cruise terminal security.

Mr. Brown advised that the national emergency on September 11, 2001 had caused certain changes in how security was provided at the Port. He described the measures that had been taken on that date and in the days and weeks thereafter to protect the vessels in the Port. Mr. Brown reported that the Port was at Level III compliance, and there was either armed law enforcement at every cruise terminal or the presence of the Florida National Guard. She advised that access to any docks by personal vehicles had been eliminated.

Mr. Brown stated that prior to 9/11, a project had been initiated for some roadway gating in limited areas of the Port along with electronic access controls and a security center. Following 9/11, he advised that the Florida Department of Law Enforcement was inspecting the Port, and the Governor's Office had taken terrorism into account in terms of State Statute requirements. As a result, most of Port Everglades was now considered a restricted area to include all petroleum and cargo terminals, and everything else within the operational areas of the Port.

Mr. Brown reported that a \$25.5 million project was now planned, and the completion period had been reduced from 4 years to 1 year at the direction of the Broward County Commission. He stated that an 8' fence with barbed wire had once been required to protect petroleum assets, but now a security wall was highly recommended with heights of 20' to 25' to place a protective barrier between citizens and the operational areas of the Port. In addition, Port access gates and recommended measures were now being developed. Those included x-ray devices to address the theft of vehicles and heavy equipment, and waterside access was also being examined.

Mayor Naugle inquired about the barrier walls proposed. Commissioner Hutchinson understood they would be 20' to 25' tall. Mr. Brown added that they would be solid concrete. Mr. Allen added that they would probably be very similar to the sound walls along I-95.

Commissioner Hutchinson had visited the Convention Center a few weeks ago, and she had noticed that the entry security had been moved inward more so vehicles did not have to go through it to reach the Convention Center. She asked if that would change under the enhanced security plan. Mr. Allen replied that an access gate would be installed at 17th Street that would restrict access to the Port itself, and the Convention Center entrance would be relocated outside the restricted area. In addition, a parking garage for cruise passengers was proposed, and whether or not that would be in a restricted zone had not yet been determined.

At 12:47 P.M., Commissioner Moore left the meeting.

Mayor Naugle recalled that when the Convention Center had been constructed, it had depended upon a certain amount of traffic coming from the south through the Port. He understood that would be restricted, and he wondered how the approvals would be kept in place for the Convention Center. Mr. Allen stated that the Development Order (DO) for the Convention Center indicated that the City could require a new traffic study if conditions changed, and he assumed the City would ask for it. He advised that a traffic consultant had already been engaged, and he recognized that mitigation would be necessary in terms of dislocated traffic.

At 12:48 P.M., Commissioner Moore returned to the meeting.

Mayor Naugle wondered if an elevated roadway was feasible. Mr. Allen stated that the option could be considered, and there had been some discussion about Spangler Boulevard. He did not think an elevated roadway would make economic sense, but there could be other measures such as relocating parking, etc. to address this concern. He noted that a long-term solution might involve a people-mover system from the Airport.

Commissioner Smith was concerned about the increased traffic on 17th Street resulting from no more cross movement through the Port. Mr. Allen agreed there could be issues on 17th Street and Federal Highway. Commissioner Hutchinson said she had been allowed into the Port today off State Road 84 to the Convention Center. Mr. Allen advised that should not occur.

The City Manager stated that there was a DRI and a DO covering this whole area, and there were some things that still had to be worked out. Mr. Novak stated that Molly Hughes had been engaged to perform a revised traffic study. The City Manager believed that study would help address issues of mutual benefit to the Port and the City. Mr. Allen advised that additional work would also be necessary at the existing interchange of I-595 and U.S. 1, so there were a number of connected projects.

Mayor Naugle asked if any exceptions to the closure on State Road 84 could be made on a limited basis for certain events, such as the Boat Show. Mr. Allen did not believe so. He explained that any time exceptions were made, background checks were necessary, which made the situation impossible. Mr. Brown stated that there had been some discussions about certain exceptions, but he did not believe Mr. Allen had been involved in those conversations.

Commissioner Smith inquired about waterside security. Mr. Allen stated that the Coast Guard had imposed a clear zone around sensitive vessels. He said that one major exposure to waterside intrusion was the dry marina, and that lease was going to be terminated within two years. Mayor Naugle believed that Coast Guard vessels were escorting every cruise ship and vessel out of the Port to keep private boats away as they exited.

Commissioner Moore inquired about the FPL Substation. Mr. Allen advised that would be in a restricted zone. Commissioner Moore wondered if it was part of the plan. Mr. Allen replied it was a community asset that needed protection, and people entering the Plant would have to be checked just like regular Port employees.

Mayor Naugle asked when the traffic study would be completed. Mr. Allen said he would come back in the early summer to discuss the traffic study with the Commission and City staff. Mayor Naugle understood the necessary information would be gathered by the end of the year. Mr. Allen agreed that was his expectation.

Action: As discussed.

At 12:55 P.M., Commissioner Moore left the meeting.

I-B – Proposed Greenway System for Pedestrian and Bicycle Pathway Enhancements

A presentation was scheduled on Broward County's proposed Greenway System relating to existing and future pedestrian and bicycle pathway enhancements. Mr. Dennis Girisgen, Engineering Division, stated that Broward County representatives had been invited to provide this presentation. He introduced *Mr. Peter Ross*, of Broward County.

At 12:56 P.M., Commissioner Moore returned to the meeting.

Mr. Ross reported that the County Commission had approved an overall system plan, copies of which had been distributed to the City Commission, last week. That body had also approved a conceptual plan for five priority corridors and \$2.4 million for survey, design and permitting work for four of the five priority corridors. He stated that this was the culmination of two years of work on the part of the County, and input had been obtained from all the cities during five meetings held around Broward County.

Mr. Ross stated that a greenway system had been identified consisting primarily of public rights-of-way and five priority corridors for future planning and construction work through charrettes. He advised that the funding relied primarily upon road impact fees, and construction funds had been identified for two projects on Flamingo Road and along the C-14 Canal. Mr. Ross reported that work had started to get this plan incorporated into the Transportation Improvements Plan. He felt this was a good start, although there were some obstacles to overcome, and every road had issues. Mr. Ross advised that a primarily off-road, recreational trail was envisioned.

Commissioner Katz wondered what was planned in 25 years for the greenway 21 along the Ocean. Mr. Ross stated that no timeframes had yet been determined. Although some initial funding had been identified, other funding strategies had not yet been identified, although potential greenways had been pointed out on the map distributed to the Commission. He was hopeful that cities would “pitch in” as well.

Commissioner Smith asked if the County could consider some creative ideas. He advised that one idea he had heard from a local resident was a meandering path in the sand along the beach similar to those in Venice, California. Mr. Ross believed being very creative would be necessary.

Commissioner Katz understood that committees had been formed and had identified the five priority corridors. She wondered about the composition of those committees. Mr. Ross stated that two Countywide charrettes had been held and everyone with any interest had been invited to attend. He thought about 100 people had participated in each of those meetings. However, the actual selection of the five priority corridors had been handled by County staff and approved by the County Commission.

Mayor Naugle asked if this had been acted on by the Metropolitan Planning Organization (MPO). Mr. Ross replied that the MPO had included the five corridors in the Long Range Plan. Commissioner Smith understood the Dixie Highway/FEC corridor was in the first phase. Mr. Ross agreed \$1 million had been identified for Dixie Highway, as it was one of the greatest challenges. He advised that this corridor went through the central portion of the County, and he hoped to see the Perimeter Road used on the Airport side, and south of Stirling Road, either the FEC or Dixie Highway right-of-way would be used.

Commissioner Smith pointed out that Dixie Highway ended at Sunrise Boulevard in the central part of Fort Lauderdale, and then the FEC Corridor ran through the downtown area. Mr. Ross agreed the FEC Corridor would have to be used in the central part of the City, and the FEC Railway was willing to discuss the idea.

Mayor Naugle believed there were those who hoped to use the FEC Corridor for the transportation of passengers with expansion of the tracks. Therefore, if the greenway was constructed, that use could be restricted. Commissioner Smith was hoping to mesh the two goals together, perhaps with some type of commuter rail.

Mayor Naugle said he had seen a different map that showed bike lanes on A-1-A, but there were some missing links. *Mr. Mark Horowitz*, of Broward County, agreed there were some missing links, and the primary one was located in Lauderdale-by-the-Sea. To the best of his knowledge, the Florida Department of Transportation (FDOT) did not have any plans at this time for any resurfacing or “3R” projects, which involved resurfacing, reconstruction, etc. He advised that when doing those projects, if there was space, the FDOT tried to squeeze in a 3’ undesignated lane or a full 4’ bike lane.

Mayor Naugle asked if this was a project the MPO could be asked to consider. Mr. Horowitz thought so. He said his experience with trying to get maintenance projects moved up had been that the MPO was a little more powerful. Commissioner Moore said he had examined this with greater interest, but he wondered why it was on the agenda because it did not appear to affect Fort Lauderdale. It appeared no one was looking for any funding from the City, and no one had come to ask what Fort Lauderdale might want.

Commissioner Smith believed part of the first \$1 million that was going to be spent was in Fort Lauderdale. Commissioner Smith noted that Dixie Highway was included, and it appeared Las Olas Boulevard and A-1-A were included. Mr. Horowitz stated that there had been meetings to cover the eastern part of the County, so input obtained during those meetings had also been incorporated into the plan.

Commissioner Katz pointed out that the place everybody wanted to ride their bikes was along the beach, so she felt that should be addressed more quickly than in 20 years. She felt the situation on the beach was becoming more and more dangerous as the area became more congested. Mr. Horowitz said there the bikeway plan and the greenway plan were two different sets of plans, and it would be very difficult to initiate a greenway along the beach because of the limited right-of-way. He thought the best that could be done along A-1-A would be something like that done along the Galt Ocean Mile, with more of a parkway scenario than a greenway scenario. Mr. Horowitz stated that the County's policy was to place bike paths wherever possible and sidewalks with a minimum width of 6', and the State had the same policy.

Mayor Naugle noted that there was a 4' designated bike path along the beach in Fort Lauderdale, and then there was a 3' unpaved area. Commissioner Smith said that ended at 19th Street, and the area of consternation fell between that and Oakland Park Boulevard. He said there used to be an alley, but that had been blocked by a private property owner and, in the meantime it was difficult to ride a bike in that area because there was not even an unmarked lane. Commissioner Smith wondered if there was any right-of-way there to provide a 3' unmarked lane in this location, at least temporarily.

Mr. Horowitz did not know how much right-of-way existed in that location, although he rode his bike in that area. Based on that, he did not think there was much right-of-way, but the FDOT had something known as transportation designs for livable communities which allowed things that would not normally be allowed. He advised that he could check the rights-of-way and see what was available in this location.

Commissioner Moore did not understand why Dixie Highway and State Road 84 would be a desirable area for a bikeway and greenway. He stated that these were industrial roadways, and he did not know who wanted to ride a bike or walk in that area. Commissioner Moore wanted to see areas addressed where people actually walked and biked. He felt that was where the money should be focused. He thought A-1-A was one of those locations, but he did not think this plan took the right direction. Mayor Naugle wanted a bike path that connected A-1-A from Lauderdale-by-the-Sea.

Commissioner Moore said he was talking about greenways, and if the County Commission had already adopted this plan, it could have just been mailed to the City. Commissioner Katz believed the City had requested this presentation. Commissioner Moore did not think this plan made any sense at all, and it did not appear priorities had been given to areas where the populace was concentrated.

Commissioner Smith thought if something different could be done on the beach, it should be requested. Commissioner Katz believed there had been some discussion about widening the sidewalk on either the west or east side of A-1-A for a 6' multi-purpose path for bikes and pedestrians, but some parking would be lost. Commissioner Smith wondered why the west side of A-1-A could not be considered. Mr. Horowitz said that had been the initial idea, but there were indications that the parking was necessary. Commissioner Smith agreed there had been discussion, but there was no support to take out the parking to make room for it.

Mr. Horowitz advised that counter-flow bike lanes generally did not work in low traffic areas, and he did not think they would work on the beach. Commissioner Smith suggested just a 4' lane on the east side. Mr. Horowitz explained that bike lanes were needed on both sides of a road. Mayor Naugle understood Commissioner Smith was suggesting a combined sidewalk/bike lane. Commissioner Moore asked why the bike lane could not be included in the sidewalk rather than being on the roadway.

Mr. Horowitz explained that when the bike lanes were initially installed south of Sunrise Boulevard, bicycle/pedestrian conflicts had been raised as an issue by the City. He stated that 3' lanes had been provided on both sides on an experimental basis, and then the FDOT had subsequently restriped the lanes to provide 4' on each side.

Commissioner Smith believed that removing the parking on the west side of the road would allow for a wider promenade between Sunrise Boulevard and 19th Street. However, that would not assist north of 19th Street.

Mr. Art Seitz said he had been examining these issues for 12 years. He believed the solution on the north beach was simple. He suggested that the existing bike lanes be removed due to the circumstances in that location. Mr. Seitz explained that it was a heavily used beach, and it should be a user-friendly area. He felt the 5' bike lanes on each side should be removed and the resulting 10' should be added to the existing 4' to 5' sidewalk on the east side. Mr. Seitz stated that everyone used the east side of A-1-1A regardless of how many signs were posted to the contrary, and he did not believe the Police Department could ever change that situation.

Mr. Seitz stated that the result of his suggestion would be a northbound, beachside, trailway for bikes and pedestrians that would be 14' wide. He believed that would be safer than the current situation, which was not working. Mr. Seitz pointed out that tens of millions of dollars had been sent on the promenade along one of the most beautiful vistas in the entire world. He thought this would be the best use of the existing right-of-way, and he was sure there was enough room for something 8' to 14' on the east side of A-1-A, which would also match it with the central beach area.

Mr. Seitz noted that several million dollars had recently been spent to the south on the FDOT project and enhancements to the approaches to the E. Clay Shaw Bridge. He pointed out that a \$42 million project was being done to the west, and he felt the City should be requesting something similar. Mr. Seitz believed there were innovative and creative solutions, including wider sidewalks. He noted that there were at least three pedestrian bridges on the Sawgrass Expressway, and there were areas all over the State in which the swales had been used to widen sidewalks.

Mr. Seitz said there were situations to address on the beach in addition to the 19th Street area. He stated that it was also an "adventure" to cross Sunrise Boulevard and across Las Olas Boulevard in front of the Quarterdeck. Mr. Seitz advised that the south end only had poor, 3', expensive, recently installed lanes. Further, there were situations all over the City with impediments that Code Enforcement staff could remove, including tree branches, trash cans, power boxes, poles, signs, etc.

Mr. Seitz noted that the County representatives had talked about all the wonderful things planned for Dixie Highway, but those things would not get him to the beach or downtown. Mr. Seitz wondered who had participated in the County charrettes about this plan and asked Mr. Ross to name those from Fort Lauderdale, as he had not known about the meetings.

Mr. Seitz suggested that the City ask the County for planning money and construction of a user-friendly pedestrian/bicycle enhancement plan that would deal with Fort Lauderdale's needs along A-1-A, which should have been one of the top priorities. He thought it was ridiculous that A-1-A had not been included in the top five, and it did not do service to the 1.5 million people who lived in Broward County.

Mr. Seitz said there had been plans developed several years ago to address Commercial, Sunrise and Oakland Park Boulevards and along Federal Highway, yet none of those plans were incorporated into the County's plan. He thought someone would have to be crazy to allow a child to use the existing "crappy" little bicycle lanes. Mr. Seitz pointed out that typical standards did not apply to bike lanes on the beach because no one had any expectation that a vehicle would be coming from the sand to the east. He felt Commissioner Smith was correct, and he felt widening the sidewalk was the only way to go to create a continuous promenade like so many other communities in Florida.

Mayor Naugle asked if the Commission wanted to ask the County to develop some type of strategy so there would be a contiguous bike lane on A-1-A. Commissioner Katz wanted to make that request, whether it be made formally to the County Commission or informally to the County representatives present today. She agreed with Mr. Seitz that the County plan had not included one of the most important locations in Broward County, and there were creative solutions available. Commissioner Hutchinson felt the request should be made to the County Commission.

Mr. Ross thought that if the Commission wanted to pursue a greenway, it should adopt a resolution asking that A-1-A be added as one of the priority corridors. Commissioner Katz thought it should be one of the top six corridors.

Commissioner Moore did not object to that idea, but he also felt there should be redirection to State Road 84. He did not mind adding a sixth priority, however. Mr. Ross advised that Dixie Highway had been the top-ranked corridor. Commissioner Smith believed that made a lot of sense because that was where the population center existed. Commissioner Moore had no problem with Dixie Highway as a greenway. Commissioner Hutchinson did not understand the logic. She lived along State Road 84, and she did not see anyone riding his or her bikes on that roadway. Mr. Ross advised that State Road 84 had been a very busy bike route at one time before construction of I-595. Commissioner Hutchinson did not think people were using it much any more because there were too many conflicts, and it was dangerous.

The City Manager advised that a resolution could be presented for consideration on March 5, 2002 requesting that A-1-A be included in the County's plan as a priority.

Action: As discussed.

I-C – Beach Renourishment

A presentation was scheduled on the Countywide Beach Renourishment Program. The City Manager introduced *Mr. Steve Higgins*, Broward County Erosion Administrator, to make the presentation. He displayed a map, provided an overview of the issue, and discussed the opposition he anticipated. Mr. Higgins stated that the southern 2,000' of fill from the Fort Lauderdale project due to impacts on the "hard bottom." Mayor Naugle asked if the City's contribution to the cost had gone down accordingly. Mr. Higgins replied it would. He explained that cities paid a proportionate amount of the cost.

Mr. Higgins explained that eliminating that 2,000' of fill would cut the hard bottom impacts in half, and he did not think the remaining impacts would cause environmental impacts. However, federal and State scrutiny of beach renourishment projects had increased dramatically in recent years, and this was one way to reduce impacts and the chance that the project would be challenged or denied a permit. He was also confident that the material placed "upstream" of this area would migrate southward to benefit the area in the absence of direct fill placement. Mr. Higgins stated that although the intent was to move the project forward in areas that were not as controversial, there was no intent to remove the Fort Lauderdale section in response to the opponents. He advised that it was all one project, although phasing was being examined.

Commissioner Smith was hopeful everyone was correct and migration of sand would occur. He believed sand was needed the most in front of the Yankee Clipper Hotel. Commissioner Hutchinson agreed the area near Bayshore Drive presented concerns. Commissioner Smith wondered if there was any emergency procedure if the sand migration did not occur as expected. Mr. Higgins replied that there was a method.

Mayor Naugle understood that if renourishment was needed, Mr. Higgins would support it. Mr. Higgins agreed he would, but he was quite confident that the migration would work. He believed the sand in the subject area would remain or even be enhanced. In fact, that was occurring in other places, and he thought the renourishment would benefit all of the areas to the south.

Mayor Naugle inquired about the status of the sand by-pass. Mr. Higgins explained that sand bypassing was a concept in which sand slowly built up north of the Port Everglades Inlet, and any additional sand would be mechanically by-passed to John Lloyd Park in the south. He stated that there was a simple system at the Hillsboro Inlet that allowed sand to be dredged out occasionally and placed on the beaches to the south. He described the process and advised that there were still some questions remaining to be answered, and a feasibility study was underway to examine all the unobtrusive and cost-effective alternatives.

Mayor Naugle asked how often a dredge would have to be operated. Mr. Higgins stated that was a question that would be answered by the feasibility study, but he thought it would be necessary from once a year to once every three years. Mayor Naugle understood there would be no net loss of sand, and Mr. Higgins agreed that was correct. He added that a technical review committee was being formed in order to hold a series of workshops in this regard, and he wanted someone from the City to be appointed.

Commissioner Moore wondered why the recaptured sand would go to the south rather than to the north. Mr. Higgins explained that there was a build-up of sand in the southern portion of Fort Lauderdale due to the fact that sand, in general, moved southward from the north. The Port stopped that movement, so the area south of the Port had chronically eroded. Mayor Naugle understood all inlets caused the sand to move southward, and Mr. Higgins agreed that was correct.

Commissioner Katz understood there were still commitments to fund the northern area. Mayor Naugle agreed that was correct, but no CRA funds would be utilized. He believed those monies would be used for restrooms and things of that nature. Mr. Chuck Adams, Redevelopment Services Manager, stated that monies had already been spent on the restrooms, and additional funding issues would be brought back to the City Commission.

Action: As discussed.

I-D – Citizen Advisory Panel – Florida Power and Light (FPL)

A discussion was scheduled on a proposal to create a citizen advisory panel to review and provide input on issues related to FPL. The City Manager stated that formation of this panel had been a strong recommendation that had come out of the town hall meeting held on February 12, 2002. He noted that a back-up memorandum had been distributed outlining the types of issues the panel would address and the type of representation that would be desirable. The City Manager advised that a list of people who had volunteered to serve had been distributed to the Commission, and a list of organizations that might be interested had also been distributed. It was the consensus that each Commissioner and the Mayor appoint three individuals to the panel.

The City Manager added that the work would likely be intense and time-consuming just to understand the various issues involved. He also urged a Citywide approach to these issues. Mayor Naugle felt Commission districts should be represented as well.

Commissioner Smith wanted to appoint Jon Albee, Bob Hord, and Marvin Sanders. Commissioner Katz appointed Bunney Brenneman. Commissioner Moore wished to appoint Richard Barrett, Nat Wilkerson, and William Dandy. Commissioner Hutchinson appointed Bob Cole and someone from the South Andrews Business Group. Mayor Naugle wanted to appoint Jack Kuhn, Jr. and Jackie Scott. It was the consensus to appoint additional members on March 5, 2002.

Commissioner Moore felt a consultant was necessary to advise the panel about what could be done. Mr. Greg Kisela, Assistant City Manager, stated that a request for authorization to fund a consultant would be brought back to the Commission. He agreed there was no in-house expertise about substations and additional facilities utilized by FPL, and the consultant would be a resource for this panel as the different issues were examined.

Commissioner Smith asked if FPL had furnished the letter promised at the town hall meeting indicating it would not support a bill going to the Legislature about limiting local authority with respect to these types of facilities. Mayor Naugle replied that he had received a copy of that letter just before this meeting. Commissioner Moore said that what had bothered him was that it had been indicated that the Florida Coordinating Group had sponsored the bill. Ms. Lynn Shatas, FPL, advised it was a group of utilities. Commissioner Moore thought FPL was probably the largest member of the Group. Ms. Shatas stated that FPL was the largest utility in the State, but she did not know if it was the largest utility in the Group.

Mayor Naugle read aloud the last paragraph of the letter. It indicated that “as a result, the FCG had tabled pursuing this legislation during the 2002 Legislative Session.” It also indicated that FPL committed not to lobby or support any proposed legislation in 2002, but it expected future dialogue on the issue would be pursued at a later date.” Commissioner Moore wanted to send a copy of this letter to the Group. The City Clerk agreed to do so.

Action: As discussed.

I-E – City's Self-Insured Health Fund – Employee Health Benefits

A discussion was scheduled on the proposed changes to the City's self-insured health fund for employee health benefits. Also see Item M-7 on the Regular Agenda. The City Manager noted that a memorandum had been distributed to the City Commission, and the Director of Finance, Mr. Damon Adams, was present to provide information. Mr. Adams said that as previously reported, the Health Fund had a deficit of approximately 44.85 million at the end of the fiscal year on September 30, 2001. Since that time, the plan had continued to have a negative experience. In the meantime, he advised that there were sufficient reserves in the insurance fund for payment of claims while staff worked through the current health benefits challenge.

Mr. Adams advised that the changes in the provider networks authorized by the Commission on February 5, 2002 were in place and would immediately help to limit claim costs. In addition, an item on the Regular Agenda would allow for consulting services including negotiations with area hospitals to obtain the maximum discounts possible. He believed these two components, over time, would amortize the debt, and there would be resources devoted to close monitoring of the third party administrator. He advised that Rhodes Insurance Group would assist the City in developing and analyzing reports and helping to manage the day-to-day aspects of the self-insurance activities. Mr. Adams was hopeful that these measures would put the plan "back in the black," and a more traditional insurance plan could be examined as the market changed.

Commissioner Hutchinson asked if the payroll deduction had been calculated yet and wondered if it would include management and confidential employees. Mr. Adams replied that staff was working with both groups, and he felt agreement with the FOPA was close. He hoped to bring the issue back as early as the next Commission meeting, and he expected that the management and confidential employee group to be addressed in the next fiscal year.

The City Manager added that payroll deductions would include management and confidential employees. He said the deduction would be as fair and as non-invasive as possible by considering a term of three to five years.

Commissioner Smith understood the situation with management and confidential employees would wait until the next fiscal year. The City Manager agreed that was his suggestion, subject to successful negotiations with the FOPA. He hoped the groups could start at the same time in order to address fairness and to allow some time to prepare. Commissioner Smith understood the deductions would also be spread out over several years so they would not be too onerous.

Commissioner Smith said that at his district meeting last night, concern had been unanimous about the City being self-insured. He advised that there were a lot of professional people who attended the meetings, and he did not know a great deal about insurance. Commissioner Smith felt consideration should be given to putting this out to bid and allowing a proposal for self-insurance as one of the responses. He felt the decision for self-insurance had been made in good faith, but he was concerned that the City might not want to admit it had failed. Commissioner Smith thought it might be time to "cut the losses," and let the professionals handle it. He was also concerned that "throwing money" at the problem would not resolve the issues.

Mayor Naugle asked Commissioner Smith how the deficit would be repaid. Commissioner Smith supported the City Manager's strategy in that regard.

The City Manager said he would like to provide the Commission with information about the experiences of other organizations of similar size and how they had handled things. Mayor Naugle also wanted to know how the FOP and the Firefighters were handling things because they were not in this predicament. The City Manager said that if the Commission decided to seek proposals, this information would be very helpful. Mayor Naugle agreed.

Commissioner Moore believed that any well-operated insurance entity would work well, whether the City was self-insured or contracted with a carrier. He thought the problem had been that the plan had not been well run, with a benefit structure that was too rich for the premiums being collected. Commissioner Moore pointed out that an insurance company would not collect premiums that did not address costs and ensure a profit. In this case, the premiums collected had not addressed costs or profits. Commissioner Smith wondered why not. Mayor Naugle asked who was responsible. Commissioner Moore understood staff had not received appropriate information from the previous carrier to make the necessary projections to design a proper plan. In addition, the benefits of the self-insured plan had been greater than those offered by the insurance carrier.

Mr. Scott Denham, Risk Manager, stated that the management benefits for prescriptions had been at \$1 and \$4 co-payments for a number of years. He advised that the benefits in place at the time of the transition had been matched. Commissioner Smith thought the market had changed, and the City had not had the expertise to know about those changes. Commissioner Moore wondered what premium the insurance carrier had collected when it was providing \$1 and \$4 prescription co-pay benefits. Mr. Denham replied it was a self-funded plan, including this benefit.

Commissioner Moore said he had supported self-insurance because premiums were not returned by carriers if they were not all spent, and the City could retain those monies if it had a sensibly designed plan that covered costs. Commissioner Smith was not sure the City had the capacity to monitor and manage a plan. Mayor Naugle asked who had advised the City in this respect, and Mr. Denham replied that he had. Mayor Naugle asked if there had been any professional help. Mr. Denham replied that there had been some consulting advice, but it had only involved a small assignment.

Commissioner Moore felt the plan design had been the problem, and he was concerned about what would be done in the future. He wanted to see a basic plan offered that employees who made \$9 or \$12 an hour could afford. Mr. Bentley did not know the percentage of employees who earned in that range, but he said he could provide a report. Mayor Naugle noted that a \$10/\$20 prescription co-payment benefit was going to be implemented, and Mr. Denham agreed it was scheduled for implementation on March 18, 2002 for management and confidential employees. Commissioner Moore stated that insurance was risky, but there were pros and cons for both having a carrier and being self-insured, but the risks were minimized when a plan was well operated.

Mr. Lloyd Rhodes, consultant, stated that the City's situation was not uncommon in South Florida. He said it was a complex situation, and self-insurance was a long-term "fix" as opposed to a short-term fix. He advised that self-insurance allowed flexibility over a fully insured approach, and the size of the City's group was typically sufficient for self-funding. Mr. Rhodes said the City had gone from a very tightly managed HMO program to a PPO program in order to address the quality of care and complaint levels, which had been significant.

Mr. Rhodes suggested that there were still great opportunities for savings under a self-funded approach, and the intent of health insurance was to protect employees from financial ruin and catastrophic loss. He felt that was a key component that had to be remembered when making these types of decisions. Mr. Rhodes stated that communication had not been as effective as it should have been, and monthly monitoring of claim reports could have been handled much better, given proper manpower and resources. He felt all the steps being taken thus far left opportunities to benefit from a self-funded plan and allowed for amortization of the deficit. Mr. Rhodes pointed out that the same market issues affected carried plans, and the City would still be facing the same kinds of significant increases it was experiencing now, but the costs would be built into the next twelve months of premiums. He reiterated that the City was not alone in this situation, but it did have a rich program without employee contributions for dependent coverage, which was also a very rich benefit.

Mayor Naugle noted that there was an item on this evening's agenda related to management employees, and he wondered if that would result in a breakeven situation or if employee contributions would be necessary to break even. Commissioner Moore did not believe so. Mayor Naugle thought management and confidential employees should contribute to provide a plan that would break even starting on April 1, 2002. He saw no reason to allow the "hemorrhaging" to continue until the end of the year. Mr. Denham believed the changes would keep things level for about 18 months, and the budget increase would accumulate. Mr. Adams added that would help amortize the deficit. Once the new benefit structure was in place, savings would start to be realized.

Mayor Naugle asked if the changes to be made tonight would break even without contributions for employees for dependent coverage. Mr. Adams believed so, and part of the plan was to amortize the deficit. Mayor Naugle felt monthly reports should be provided.

Commissioner Katz still did not know if anyone had made arrangements to ensure a percentage of the bills were paid as discounted. Mr. Adams stated that discounts had been received, although they had not been great under a nationwide network called Beechstreet. He explained that it was up to the third party administrator to ensure the City had been getting those discounts. Now, the City had negotiated a new nationwide network with the North Broward Hospital District for greater discounts, and a firm had been hired to check on a periodic basis to ensure the third party administrator was doing its job in reviewing the bills. Further, the consultants would be working with other hospitals to obtain additional discounts, so a lot was being done to get these costs down.

Commissioner Smith wondered why the third party administrator was not just replaced if it had caused much of the problem. Mr. Adams advised that possibility was being considered, but new people and systems had been brought in to address the issues.

The City Manager stated that the necessary resources had not been provided to do the best possible job. He thought the City was now bringing to bear the kinds of resources that were needed in Risk Management to ensure the situation did not get out of hand again. The City Manager acknowledged that the City had not properly monitored, through the third party administrator, the costs, and it had not had the best discount program to start with. However, staff would provide monthly reports as requested by Mayor Naugle.

Commissioner Moore did not like this process. It appeared it was acknowledged that the third party administrator had not done an effective job, and he did not like the way it had been selected. He also did not like how the consultant had been selected. Commissioner Moore felt the process should be open and competitive in terms of hiring professionals. Mayor Naugle thought a competitive process had been used, but Commissioner Moore did not think it had gone far enough and inquired about the number of proposals received. Mr. Denham replied that five self-funded proposals had been received and several other proposals had been received as well. However, a few of the proposals had been non-responsive for various reasons.

Commissioner Moore did not think it was time to rush out for bids from insurance carriers, and everyone had understood from the start that a self-funded plan should be examined over a period of five years. However, he urged an open process when it came to selection of a consultant, and he was concerned by the idea of hiring staff to review matters that were being reviewed by a consultant.

Commissioner Moore felt the existing benefit design was much too rich, and he knew of no other entity that paid for dependent coverage. He doubted that any of the other municipalities in Broward County did that, and he thought a comparative analysis would show that this plan could not operate at anything other than a deficit. Mayor Naugle was not sure just changing the benefits would result in a breakeven situation without employee contributions for dependent coverage, although that had just been promised. Commissioner Moore thought the City should provide benefits in the 70th percentile just as it handled the compensation rates.

Commissioner Katz thought something had to be done quickly, so she wondered if a consultant should be hired for a few months and examine the whole situation. Commissioner Moore had no objection to an RFP for a consultant and a third party administrator, if that was what the consultant recommended. Commissioner Smith felt a consultant should be hired, and he was concerned because the health care industry was very volatile now. He thought it was probably not a good time to go out and learn a business. Commissioner Smith wanted the City Manager to have as much oversight as he felt he needed to avoid getting into trouble again. He also wished to reassess the situation in six months to ensure there was a "handle on things."

Commissioner Moore did not object to Mr. Rhodes continuing to work for the next 90 days while an RFP was prepared. Commissioner Smith preferred a six-month period followed by a reassessment of the situation. Mayor Naugle suggested a compromise position of 120 days. It was his understanding that Mr. Rhodes had been hired through the RFP process. The City Manager advised that the RFP process had been done through the City of Lauderhill, in which the City had "piggy-backed" on the contract. Commissioner Moore pointed out that Lauderhill did not have a self-funded plan, and he felt that compromised the process.

The City Manager advised that staff would continue to provide regular reports to the Commission in this regard. He suggested a 120-day contract with Mr. Rhodes, reconsidered on a month-to-month basis, if necessary, and advised that the item being presented to the Commission tonight could be amended accordingly. At the same time, an RFP would be prepared. It was agreed.

Commissioner Katz referred to the debt for the insurance fund. It was her understanding that the insurance fund had reserves for Workmen's Compensation, insurance risk and natural disasters. She asked how much was outstanding on Workmen's Compensation claims, as she understood there was a backlog of those claims. Mr. Denham stated that the backlog of claims had been eliminated, and there were \$2.2 million worth of claims over the past 36 to 48 months. He advised that the outstanding reserve liability for the City was in the range of \$5 million for Workmen's Compensation. He stated that the City was in a much stronger position as to Workmen's Compensation than it had been three or four years ago. Mr. Adams explained that this money was put into the fund even though it would not be paid out for many years into the future, but it was contributed annually.

Mayor Naugle understood that the previous administration had allowed the Workmen's Compensation claims to build up, but now they were being settled, and the City was having good experience in terms of what was set aside. Commissioner Katz agreed that was true so far, but now some of that saved money would be used. She noted that the rest was reserved for general liability and natural disaster, and she wondered what would happen if there were a hurricane. Mayor Naugle stated that the experience had been that the City was reimbursed by FEMA very well. Commissioner Katz understood it had taken 9 months to collect the money from FEMA, so sufficient funds had to be available to carry through until the funds were received.

Commissioner Katz understood it would take three to five years to repay the deficit. Mr. Adams agreed that was correct. Commissioner Moore asked if it had been projected that the self-funded plan Workmen's Compensation money would be used. Mr. Adams replied that it had not been anticipated, but that option was necessary at this point. Commissioner Moore asked if the consultant for the FOP had been identified. Mr. Denham stated that Barry Capretta was the police consultant, and he was also the consultant for the fire plan, but he did not know who the FOP consultant was. Commissioner Moore requested the IAFF health plan design, and the City Manager said he could get a copy. Commissioner Moore wanted to see if there was a low-option plan. He felt employees should be offered options so they could decide on the level of benefits they could afford.

Commissioner Katz noted that the City had been working with the sum of \$4.85 million as of September, 2001, and no new number had been forthcoming. Mr. Adams advised that the deficit was beyond \$4.85 million because in every month that passed, more money was being spent. He said the new networks that had been put in place had been the first step, and hiring these professionals would also help. Commissioner Moore wanted a comparison of what the market was offering others. Commissioner Katz was concerned that March 18, 2002 represented a late start. Commissioner Moore agreed no one was happy with this plan except the employees who had used it.

Action: As discussed.

At 3:05 P.M., Commissioner Katz left the meeting. Commissioner Smith left the meeting at 3:06 P.M., and Commissioner Katz returned.

I-F – Henry E. Kinney Tunnel Park on South Side of New River

A discussion was scheduled on a proposed funding strategy for the construction of the Henry E. Kinney Tunnel Park located on the south side of New River. Mr. Pete Sheridan, Assistant City Engineer, recalled that this project had been presented to the Commission in May. He stated that the affected Riverwalk project was moving forward in partnership with the Downtown Development Authority (DDA), and a \$1 million grant had been obtained from the Florida Inland Navigation District (FIND).

Mr. Sheridan explained that a Land Water and Conservation Grant (LWCG) was available, but it could not be used for Tunnel Park. Nevertheless, the City could apply for those funds for the Riverwalk portion of the project and reassign the DDA funds to the Tunnel Park project. Mr. Sheridan advised this would necessitate the City entering into a lease agreement with the Florida Department of Transportation (FDOT) similar to the agreement made as to the north side. He stated that the DDA would pay for a consultant to seek the LWCG grant, and \$200,000 of the DDA's \$500,000 contribution to the Riverwalk project would be moved to the Tunnel Park project.

Commissioner Moore understood there was a \$1 million FIND grant, and the DDA had committed \$500,000 for the Riverwalk. In addition, the City was contributing \$500,000, for an estimated total project cost of \$2 million. Mr. Sheridan agreed that was correct. Commissioner Moore understood staff wanted to seek another grant and, if awarded, that \$200,000 would be used on Riverwalk, and \$200,000 would be shifted from the Riverwalk project to the Tunnel Park project. Mr. Sheridan agreed that was the recommendation. Commissioner Moore wondered what would happen if the actual cost of the Riverwalk project exceeded \$2 million. Mr. Sheridan was hopeful the estimates were correct but, if necessary, staff would examine the project parameters for possible savings and seek additional funding sources.

Commissioner Moore wondered if special assessments had been considered for the Tunnel Park project in a process similar to that used for the Galt Ocean Mile, or if it had not been considered because it was viewed as the continuation and terminus of Riverwalk. Mr. Sheridan said it had been considered a continuation of Riverwalk and the City's park network, although the partnership concept of finding alternate funding was still alive. He advised that the City had worked with a developer to get the trees, and the Neighborhood Association had been providing "sweat equity."

Mr. Sheridan advised that the \$200,000 would probably not be enough to complete Tunnel Park, but it would cover a substantial amount of work done, and there could be additional opportunities for the community to assist by whatever means were available, including special assessment. Commissioner Moore wondered if the neighborhood would object to a special assessment to complete the project. *Mr. Sam Poole*, Rio Vista Homeowners' Association, did not know how an equitable assessment formula could be developed since this was not really the end of Riverwalk, but continued through an area with apartments and condominiums.

Mayor Naugle thought the New River Village and Marketplace should have paid for this benefit, but the settled lawsuit had not included anything for park improvements. The City Attorney advised that it had provided for park improvements as a matter of fact, with a certain figure for improvements at Smoker Park and contributions to Riverwalk. He noted that this idea had not even been envisioned at that time.

At 3:10 P.M., Commissioner Smith returned to the meeting.

Commissioner Moore wondered if the DDA would step up if the Riverwalk project cost more than estimated. *Mr. John Millage* said he could not answer that question at this time because the DDA Board had not discussed it. Mr. Sheridan said he would present the question to the DDA. Commissioner Moore sincerely believed that the special assessment process would be appropriate. Mayor Naugle pointed out that properties had not been assessed for Riverwalk improvements on the other side. Mr. Sheridan reported that the Riverside Hotel development was paying its portion of that project cost to address the area from Sagamore Road to Las Olas Boulevard on the northeast side, and the area to the south would be funded through the Parks Bond.

Action: Approved as discussed.

I-G – Department of Housing and Urban Development's (HUD) Ruling on the Lincoln Park Facility

A discussion was scheduled on HUD's ruling regarding the Lincoln Park Facility. The City Manager believed the memorandum in this regard was self-explanatory. Commissioner Moore thought this item was similar to the last one in that monies would be shifted around. Commissioner Katz thought this was different. In this case, there had been a piece of government land that was going unused, and the community needed some help, so a decision had been made to use the land for the one-stop shop. However, this was not free any more and would end up costing the City \$2 million by the time demolition, construction, and other costs were added.

Commissioner Smith stated that the building itself would be an asset. Commissioner Katz believed she could find better ways to spend \$2 million. Commissioner Moore agreed this building could be constructed anywhere, but the intent was to revitalize a slum and blighted area so it would help create a better tax base for the City. He agreed the situation had been better before this HUD ruling, but the goals remained the same, and this was just moving money from one pocket to another. Commissioner Katz believed it was removing money from the General Fund, so that money would not be available to areas that could not use CDBG monies. She preferred to find a use HUD would approve so the City would not have to repay CDBG funds.

Commissioner Moore recalled that there was a need to expand the size of the one-stop shop, so the City would have had to purchase or build a new structure, and that would have cost general fund monies. Therefore, he did not think it was inappropriate to use the General Fund for this purpose. Mayor Naugle had heard there were those in the community that did not want this, and Commissioner Moore agreed there had been some press, but no one had showed up.

Commissioner Smith felt this recommendation was a good idea. He believed this would bring a lot of vitality to the area. Commissioner Katz did not think money from the General Fund should be used to do it. Mayor Naugle asked Commissioner Moore how this would "pump up" the tax base in the area. Commissioner Moore thought it would work just as constructing the library downtown had helped bring people to that area. As a result, surrounding properties were improved. Mayor Naugle was not sure who would be attracted to this area because the Building Department was located at Lincoln Park. Commissioner Moore thought engineering firms, restaurants, etc. would be interested. Commissioner Katz wanted to go on record as opposed to this item and, since there were so many potential uses, she thought there must be some of which HUD would approve.

Action: Approved as discussed.

**II-A – Parks General Obligation Bond (GOB) Projects –
Quarterly Report for the Fourth Quarter of 2001 (October to December)**

A quarterly report on the Parks GOB projects for the fourth quarter of 2001 was presented. Commissioner Moore asked when Joseph C. Carter Park would be started. Mr. Greg Kisela, Assistant City Manager, believed the plans review would be completed in a few weeks. Mr. Pete Sheridan, Assistant City Engineer, was hoping to be out to bid at the end of March. Commissioner Moore wanted staff to do everything it could do to get this project going. Mr. Kisela stated that City staff had done the necessary reviews, and the consultants were modifying the plans for resubmittal. He advised that everything possible would be done to expedite the project through Construction Services once the plans were completed.

Mayor Naugle asked who the consultant was, and Mr. Sheridan replied that the consultant was Millerg Legg. Commissioner Moore was tired with the delays in this project. In fact, if the consultant could not return the plans by March 10, 2002, he wanted to hire someone else who could. Mr. Kisela advised that staff had informed the consultant of the urgency associated with this project. Mayor Naugle asked that a report be presented to the Commission on March 5, 2002. The City Manager agreed to provide a report.

Commissioner Hutchinson inquired about Riverside Park. Mr. Sheridan stated that an item would be presented to the Commission in middle March for a design/build contractor to implement that project. Commissioner Hutchinson believed Croissant Park was open. Mr. Sheridan agreed that was correct.

Commissioner Smith asked when work would start on Cancer Survivors' Park. Mr. Sheridan replied that planning had already started, and Bob Walters was the consultant on that project. Commissioner Katz inquired about Palm Aire Village Park, and Mr. Sheridan reported that ground had been broken on February 21, 2002. He expected the work to take 120 to 180 days.

Mayor Naugle asked if final approval had been obtained for the fire station. Mr. Sheridan stated that the process was moving forward, and a foundation permit had been obtained. He advised that some utility relocation work was necessary. Mayor Naugle requested a report on this project on March 5, 2002 as well. He also noted that Carter Park had been delayed by an FDOT project.

Action: As discussed.

**II-B – Proposed Purchasing Contract Extensions for the
Second Quarter of 2002 (April to June)**

A report was presented on the proposed Purchasing contract extensions for the second quarter of 2002. Commissioner Moore inquired about the contract extension for the parking consultant, which was going from \$22,000 to \$50,000. Mr. Doug Gottshall, Parking Manager, explained that the parking consulting contracts had been approved in an amount not to exceed \$200,000. Commissioner Moore was not comfortable with this extension. Mr. Bruce Larkin, Director of Administrative Services, advised that this was the last extension of this contract allowed, so it would go out to bid at the end of this contract. He noted that continuity was important in this respect as it had been involved in the various studies and negotiations, and that involvement had value to the City.

Commissioner Moore was also concerned about the Envirocycle extension involving a cost of \$200,000. He inquired about the reason for the increase. Mr. Kirk Buffington, Purchasing Manager, advised that he would withdraw that extension today and bring it back with a report, but he believed only a CPI adjustment was allowed under this contract.

Action: Approved as discussed.

II-C – Campaign Finance

A report was presented on a proposed ordinance establishing contribution limits in City elections. The City Attorney stated that this was a status report, and some ordinance amendments would be presented. He advised that a great deal of research had been conducted, and he believed this was on sound legal footing as to contribution limits, but staff was still working on the prohibition of corporate contributions. The City Attorney was still researching that matter as it related to political action committees (PACs), and Commissioner Smith had felt it was time for a status report. He believed an ordinance amendment could be presented next month.

Commissioner Moore referred to labor unions and corporations. He believed these groups should be able to contribute to campaigns. He also supported the limit of \$250 that had been discussed in the past, but he had a problem excluding unions and corporations. Commissioner Katz agreed it would not be fair to exclude business entities, particularly since a lot of people in her district did contribute to campaigns through their businesses. She felt businesses should have a voice and should be allowed to contribute up to \$250.

Mayor Naugle said he would have agreed with Commissioner Katz, but contributions to Congress had to come from individuals rather than corporations or businesses. Commissioner Katz believed the State of Florida had established a limit of \$500, and Fort Lauderdale was taking a different position. She felt different districts contributed differently. She worked with businesses, and she felt they should be allowed to have a say and not lose the tax deduction by writing personal checks.

Commissioner Smith felt this Commission had been more than progressive and opened up the process to the citizens more than any other community of which he was aware, and this would make it even more of a “people’s government.” He thought the City should be proud to be on the “cutting edge,” and he believed other jurisdictions would follow suit. Commissioner Moore thought it would be challenged.

The City Attorney stated that his research indicated that the City might have a hard time meeting the test for prohibiting the corrupting influence of PACs because the percentage basis over the past two elections had been so low. He explained that this would be a limitation on Constitutionally protected rights, so the City would have to prove a need for limiting those rights. The City Attorney advised he was still working on that. Mayor Naugle said his concern was that someone could form 10 or 20 PACs. Commissioner Smith believed that if someone did find a way around it, then the City would be able to demonstrate a need and purpose.

Mr. Ed Curtis, of the Charter Revision Board, said the intent of the Board had been that only individuals would make contributions. He advised that the issues of PACs and trusts had been debated by the Board. He believed the primary concern was that contributions would come from an unknown source.

Commissioner Moore thought the reason contributions to campaigns were made was because someone wanted the candidate to support their voices, and he felt that was just as true of corporate entities as it was for individuals, and entities could not vote. Mr. Curtis said the concern was that the source was unknown, particularly when it came to trusts. Commissioner Moore asked what information was required of contributors. The City Clerk advised that reports listed the names of the contributors, along with their addresses. Commissioner Smith understood the principals of a corporation were not disclosed. Commissioner Moore thought that information was readily available via the Internet.

Commissioner Hutchinson believed that during the last election, one post office box had been listed as the address for 4 different trusts that had made contributions to one candidate. As a result of it being a trust, there had been no way to determine who had contributed the money.

Mr. Michael Lockwood, Charter Revision Board, stated that corporations had a chance to contribute as private individuals in addition to contributing as a corporation, but that was not true of individuals.

Mayor Naugle believed there was consensus to move forward with an ordinance as recommended. Commissioner Moore felt this was wrong. He believed it represented the elimination of participation in a free society.

Action: Ordinance to be presented after final review by the Board in March.

II-D – Historic Property Designation Surveys

A report was presented on a proposal to obtain a consultant to update the City's existing historic property designation surveys. Commissioner Smith believed there were a few structures in the City that a lot of people thought were very important, and he wondered if a few should be put at the "head of the line." Mayor Naugle said he had asked that the Gypsy Graves House be scheduled for consideration. Mr. Bruce Chatterton, Planning and Zoning Manager, stated that an application was being pursued for the designation of the Gypsy Graves House, and it was effectively zoning-in-progress. Further, that property had been "flagged" in case someone submitted a permit application for demolition.

Mayor Naugle asked if the owner of the Gypsy Graves House had been notified. Mr. Chatterton replied that the owner had not yet been notified, although the application was being prepared. He expected it to be presented to the Historic Preservation Board in April.

Commissioner Smith was concerned about Progresso Plaza, Himmarshee Court, the Shubert, McCrory's, the Clipper, the Swing Bridge, and the Floridian. He thought the City might have to consider purchasing development rights from the owners, but he desired zoning-in-progress with respect to the properties. Mayor Naugle did not know why the City would have to do that. Commissioner Smith thought there might be other methods, but he felt some creative ways to assist the property owners so the preservation was not a burden. Commissioner Katz felt incentives for preservation was the usual procedure. Commissioner Hutchinson suggested that assistance also be provided in helping property owners identify potential funding sources.

Mayor Naugle believed there was consensus to move forward and add the properties identified by Commissioner Smith. Mr. Chatterton advised that staff would examine them in terms of the criteria established by the Department of the Interior. Mayor Naugle suggested that staff provide a Conference report on the mentioned buildings with descriptions, age, etc., and then a determination could be made as to whether they should be “flagged” and the process for historic designation initiated. It was agreed.

Action: As discussed. Conference report to be provided.

Mayor Naugle announced that City Commission would meet privately regarding litigation strategy in connection with the following cases:

1. Brian Kearney (Workers Compensation Case Nos. WC 97-9155 and WC 98-10339)
2. James DiPaolo (Workers Compensation Case No. WC 97-9453)
3. City of Fort Lauderdale v Coolidge-South Markets Equities, L.P., a Delaware Limited Partnership, et al (Case No. 00-10449[08]).

At 3:55 P.M., the meeting was recessed. It was reconvened at 5:14 P.M.

III-B – Advisory Board Vacancies

1. Cemeteries Board of Trustees

Action: Deferred.

2. Community Appearance Board

Action: Deferred.

3. Community Services Board

Commissioner Hutchinson wished to appoint Karin Batchelder to the Community Services Board.

Action: Formal action to be taken at Regular Meeting.

4. Nuisance Abatement Board

Commissioner Katz suggested the appointment of David Svetlick as an alternate member to the Nuisance Abatement Board.

Action: Formal action to be taken at Regular Meeting.

5. Unsafe Structures and Housing Appeals Board

Action: Deferred.

IV – City Commission Reports

1. Amistad

Commissioner Moore was very excited about the ship “Amistad” coming to Fort Lauderdale for a visit from March 4 to 14, 2002. He stated it was a beautiful replica of a ship that had been taken over by slaves. He asked that the Commission be present at 5 o’clock on March 5, 2002 to welcome the vessel, and a reception was scheduled from 5:30 to 7:00 P.M. on March 6, 2002. Commissioner Moore said that the Amistad was planning to return to Fort Lauderdale in October for the opening of the African American Library. He also complimented the Supervisor of Marine Facilities for working out all the dockage details. Mayor Naugle noted that Sonny Irons might be able to assist as he had been very much involved in bringing the Columbus vessels to Fort Lauderdale.

Action: As discussed.

2. Sign Ordinance

Commissioner Hutchinson wondered when the sign ordinance would be brought back to the Commission. Mr. Greg Kisela, Assistant City Manager, advised that staff would provide a status report.

Action: Staff to provide status report.

3. Southwest 14th Avenue – Parking for City Employees

Commissioner Hutchinson said there was a property on Southwest 14th Avenue that was utilized for parking by City workers. She stated that the property was not zoned for that use, and she felt it should be brought up to Code.

Action: Staff to investigate.

4. Neighborhoods USA Conference

Commissioner Hutchinson wanted to send a person from each of the four districts to the Neighborhoods USA Conference in May. She advised that there was still money available from the State Conference, and she asked each Commissioner to select an individual to send.

Action: As discussed.

5. Southwest 2nd Street – Business Complaints

Commissioner Hutchinson reported that police officers had showed up at businesses on Southwest 2nd Street on Friday night and started some harsh questioning about the sidewalk café permits. Mr. Pete Witschen, Assistant City Manager, stated that staff had met with the business owners who wanted outdoor tables, and he hoped permit applications could be presented at the next Historic Preservation Board meeting. He advised he was investigating further because the complaints to which the Police Department had responded had not justified that type of response.

Mayor Naugle noted that something similar had occurred on Christmas Eve when 25 parking tickets were issued at his church.

Action: Staff to investigate.

6. New River Village

Commissioner Hutchinson asked if the \$25,000 check from New River Village had been issued to the Rio Vista neighborhood. The City Attorney believed so, but he agreed to confirm that information.

Action: City Attorney to investigate.

7. Open Space/Vacant Lots

Commissioner Hutchinson had received an interesting article from Bob Hoysgaard about making room for open space and how that had been addressed in the City of Chicago. That community was taking vacant lots and creating non-profit groups to create and manage little pocket parks. She suggested staff obtain additional information from Chicago because she received a lot of complaints about problems caused by vacant lots.

Commissioner Moore requested a report on March 5, 2002 about some properties around the Piney Grove First Baptist Church. He recalled that there had been some title issues.

Commissioner Smith reported that he had received a letter from the Central Beach Alliance expressing concerns about the appearance and maintenance of project sites not yet under construction. He understood several of the sites had been vacant for months and years, and they had battered fencing, flapping canvas, and accumulated trash. Commissioner Smith believed these were Code violations that should be addressed. In addition, the Central Beach Alliance had suggested that construction sites be required to install turf, and it preferred that they not be fence to give an appearance of open space and greenery while projects were pending. Commissioner Smith believed there were at least four or five such sites in the beach area.

Commissioner Moore thought that not fencing such sites might expose the property owners to liability. Mayor Naugle noted that illegal dumping could also become a problem. He thought it might be better to have a fence one could see through and ground cover instead of sod.

Action: As discussed.

8. Citizen Parking Discount

Commissioner Smith asked if the citizen parking discount only applied to the Birch Parking Lot. He advised that a citizen had told him it was honored on Las Olas Boulevard or in the beachfront lot. Mayor Naugle believed there was a discount at the South Beach Parking Lot. Commissioner Smith said that was a different type of discount. Mayor Naugle believed the resident discount was supposed to apply to the Intracoastal Lot and the Oceanfront Lot. Mr. Bruce Larkin, Director of Administrative Services, believed that was correct but agreed to confirm it. He said he could also provide information about how many people availed themselves of this discount.

Commissioner Smith felt the discount should apply anywhere in which multispace meters existed. Mr. Larkin said that he would also provide a report on revenues. He believed they were down.

Action: As discussed.

9. Code Violations in Neighborhoods

Commissioner Smith said he had received information about Code violations, and it was clear that there were some serious problems in a few neighborhoods. He had asked for a percentage of the parcels with violations in a six-month period. He had learned that one neighborhood had 1,326%, meaning that many parcels had been cited repeatedly. Commissioner Smith thought some way should be devised to target the most egregious areas and get tougher on repetitive violators.

The City Manager said the intent was to take an approach similar to the Police Department's by identifying perpetual trouble spots and develop an operations plan to address the situation. He advised it had proven successful in fighting crime, and he was hopeful it would have a similar result in this regard.

Action: As discussed.

10. Humane Society Walk for Animals Event

Commissioner Katz referred to the recent Humane Society Walk for Animals Event. She understood people had been charged \$7, with only one person collecting the fees, so the line had extended all the way around the block and down the street. She stated that a lot of people had become disgusted and left. Mr. Larkin said he would investigate and provide a report.

Action: Staff to provide report.

11. Economic Development Workshop

Commissioner Katz requested an update on the Economic Development Workshop. She had not had a chance to examine the package that had been distributed. Mr. Witschen advised that three different names would be provided to the Commission and three different prices for three different levels of feedback. Commissioner Katz did not want to make any spending decision until the workshop was held. Commissioner Smith had been dissatisfied with how the workshop had been cancelled.

Mayor Naugle agreed it had occurred at the last minute, and he had been embarrassed that City staff had hired a consultant with a direct conflict. Commissioner Smith understood the administration did not agree with Mayor Naugle about the conflict. Mayor Naugle was concerned about that, too, because it had been very obvious. Commissioner Katz did not think this had been handled well at all, and she hoped the Commission would hear the names first in the future.

Action: As discussed.

12. Discrimination Issues

At the request of Commissioner Katz, the City Manager provided an update on the discrimination issues faced by the City. He stated that he was recruiting a new Director for the Office of Professional Standards, and he expected to hire someone by the end of next month. He noted that pre-employment policies had been distributed, and the Internal Auditor had conducted a survey to ensure they had been properly posted. He reported that a few had not been posted, which had been corrected. The City Manager stated the policy related to inclusion of sexual orientation had been updated and redistributed, and a syllabus of supervisory training had been formulated, with standards for completing the training based on how an individual entered a supervisory position. He added that a report would be distributed to the Commission in response to inquiries from the Broward County Human Rights Board. The City Manager advised that a report would also be provided with regard to the cases handled over the past five years.

Action: As discussed.

13. Annexation

Commissioner Katz wanted to ensure that any promises made to areas being annexed were, in fact, fulfilled.

Action: As discussed.

14. Parks Land Advisory Board

Commissioner Katz stated that she and Commissioner Smith had attended the last meeting of the Parks Land Advisory Board, and it had been apparent that the Board would start including golf courses for possible funding. In that case, she felt the City should investigate the possibilities associated with the Coral Ridge Country Club. If it ever did go on the market, Commissioner Katz wanted to ensure it was maintained as green space. Commissioner Smith noted that two cities had requested funding for municipally-operated golf courses.

Action: As discussed.

15. University of Miami School of Architecture

Commissioner Katz reported that she had recently been awarded a Fellowship at the University of Miami School of Architecture for a year. Her project would be Fort Lauderdale, with concentration on smart growth and urban design. At the end of the year, she hoped to present a project that could actually be used downtown and in the rest of the City.

Action: None.

16. FPL Resolution on Port Everglades Plant

Mayor Naugle stated that a joint meeting was coming up with the City of Hollywood, so he planned to present a resolution this evening related to FPL.

Action: Action to be taken at Regular Meeting.

17. Homeland Security

Mayor Naugle announced that the City had been awarded a \$600,000 grant for homeland security in the area of metropolitan medical response systems. He explained that it involved some training exercises, equipment and pharmaceuticals to treat up to a 1,000 people in some instances and up to 10,000 people in other instances. Mayor Naugle said Fort Lauderdale was the designated area to be the recipient of this grant, and it would require City officials to travel to a meeting on May 7, 2002 along with others who would help organize efforts to address domestic terrorism.

Action: As discussed.

Meeting adjourned at 5:58 P.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.